

Amendment to the Claims/Listing Of Claims

Claims 1-31 are pending in the application. By this Amendment, claims 7-9, 11, 12, 26 and 27 are canceled without prejudice or disclaimer. New claims 32-40 are added. The following listing of claims will replace all prior versions and listings of claims in this application.

1. (original) An apparatus comprising:

(A) an image pickup device which picks up an object image;

(B) an instruction device which gives an instruction for causing said image pickup device to pick up an object image for photo-taking; and

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(C) an evaluation device which, on the basis of (i) a state of an object existing before said image pickup device picks up an object image for photo-taking in response to the instruction of said instruction device and (ii) an object image picked up by said image pickup device for photo-taking, evaluates the object image.


2. (original) An apparatus according to claim 1, wherein said instruction device includes a shutter release switch.

3. (original) An apparatus according to claim 1, wherein said evaluation device compares a state of an object existing before said image pickup device picks up an object image for photo-taking with a state of an object determined from an object image picked up by said image pickup device for photo-taking.

4. (original) An apparatus according to claim 1, wherein said evaluation value detects a state of an object existing before said image pickup device picks up an object image for photo-taking.

5. (original) An apparatus according to claim 1, wherein said evaluation device determines a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking.

6. (original) An apparatus according to claim 1, wherein said evaluation device determines a difference between a state in distance of an object existing before said image pickup device picks up an object image for photo-taking and a state in distance of an object determined from an object image picked up by said image pickup device for photo-taking.

 7. (canceled)

8. (canceled)

9. (canceled)

10. (original) An apparatus according to claim 1, wherein said evaluation device determines a difference between a state in luminance of an object existing before said image pickup device picks up an object image for photo-taking and a state in luminance of an object determined from an object image picked up by said image pickup device for photo-taking.

11. (canceled)

12. (canceled)

13. (original) An apparatus according to claim 1, wherein said evaluation device determines a difference between a state in color of an object existing before said image pickup device picks up an object image for photo-taking and a state in color of an object determined

from an object image picked up by said image pickup device for photo-taking.

14. (original) An apparatus according to claim 1, wherein said evaluation device determines a difference between a state in color temperature of an object existing before said image pickup device picks up an object image for photo-taking and a state in color temperature of an object determined from an object image picked up by said image pickup device for photo-taking.

15. (original) An apparatus according to claim 1, wherein said evaluation device determines a state of movement between an object existing before said image pickup device picks up an object image for photo-taking and an object determined from an object image picked up by said image pickup device for photo-taking.

16. (original) An apparatus according to claim 1, wherein said instruction device includes a shutter release member, and said evaluation device detects a state of an object existing before said image pickup device picks up an object image for photo-taking in response to a first stroke of said shutter release member, and detects a state of an object from an object image picked up by said image pickup device in response to a second stroke of said shutter release member.

17. (original) An apparatus according to claim 1, further comprising:

a display device which makes a display according to whether a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking is not less than a predetermined value.

18. (original) An apparatus according to claim 17, wherein said evaluation device changes said predetermined value in accordance with a photo-taking condition.

19. (original) An apparatus according to claim 17, wherein said evaluation device changes said predetermined value in accordance with one of a flash photo-taking condition, a slow-shutter mode and an exposure compensation mode.

20. (original) An apparatus according to claim 1, wherein, when having determined that a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking is not less than a predetermined value, said evaluation device enables the object image picked up by said image pickup device for photo-taking to be prevented from being recorded in a recording device.

21. (original) An apparatus according to claim 20, wherein said evaluation device changes said predetermined value in accordance with a photo-taking condition.


22. (original) An apparatus according to claim 20, wherein said evaluation device changes said predetermined value in accordance with one of a flash photo-taking condition, a slow-shutter mode and an exposure compensation mode.

23. (original) An apparatus according to claim 1, wherein, when having determined that a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking is not less than a predetermined value, said evaluation device prevents, in response to a predetermined instruction,

the object image picked up by said image pickup device for photo-taking from being recorded in a recording device, and causes, if not receiving the predetermined instruction for a predetermined period of time, the object image picked up by said image pickup device for photo-taking to be recorded in the recording device.

24. (original) An apparatus according to claim 23, wherein said evaluation device changes said predetermined value in accordance with a photo-taking condition.

25. (original) An apparatus according to claim 23, wherein said evaluation device changes said predetermined value in accordance with one of a flash photo-taking condition, a slow-shutter mode and an exposure compensation mode.

 26. (canceled)

27. (canceled)

28. (original) An object image evaluating method, comprising a step of: in response to an instruction for causing an image pickup device which picks up an object image to pick up an object image for photo-taking, on the basis of (i) a state of an object existing before said image pickup device picks up an object image for photo-taking and (ii) an object image picked up by said image pickup device for photo-taking, evaluating the object image.

29. (original) A computer program product, comprising a content of:

in response to an instruction for causing an image pickup device which picks up an object image to pick up an object image for photo-taking, on the basis of (i) a state of an object existing before said image pickup device picks up an object image for photo-taking and

(ii) an object image picked up by said image pickup device for photo-taking, evaluating the object image.

30. (original) An apparatus according to claim 1, wherein said evaluation device detects, by using said image pickup device, a state of an object existing before said image pickup device picks up an object image for photo-taking.

31. (original) An apparatus according to claim 1, wherein, according to whether or not a difference between a state of an object determined from an object image picked up by said image pickup device for photo-taking and a state of an object existing before said image pickup device picks up an object image for photo-taking has a value not less than a predetermined value, said evaluation device varies control of said apparatus to be performed thereafter.

32. (new) An apparatus according to claim 28, wherein said evaluation device compares a state of an object existing before said image pickup device picks up an object image for photo-taking with a state of an object determined from an object image picked up by said image pickup device for photo-taking.

33. (new) An apparatus according to claim 28, wherein said evaluation device determines a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking.

34. (new) An apparatus according to claim 28, wherein said evaluation device determines a difference between a state in distance of an object existing before said image

pickup device picks up an object image for photo-taking and a state in distance of an object determined from an object image picked up by said image pickup device for photo-taking.

35. (new) An apparatus according to claim 28, wherein said evaluation device determines a difference between a state in color of an object existing before said image pickup device picks up an object image for photo-taking and a state in color of an object determined from an object image picked up by said image pickup device for photo-taking.

36. (new) An apparatus according to claim 28, wherein said evaluation device determines a difference between a state in color temperature of an object existing before said image pickup device picks up an object image for photo-taking and a state in color temperature of an object determined from an object image picked up by said image pickup device for photo-taking.

37. (new) An apparatus according to claim 28, wherein said evaluation device determines a state of movement between an object existing before said image pickup device picks up an object image for photo-taking and an object determined from an object image picked up by said image pickup device for photo-taking.

38. (new) An apparatus according to claim 28, further comprising:

a display device which makes a display according to whether a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking is not less than a predetermined value.

39. (new) An apparatus according to claim 28, wherein, when having determined

that a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking is not less than a predetermined value, said evaluation device enables the object image picked up by said image pickup device for photo-taking to be prevented from being recorded in a recording device.

40. (new) An apparatus according to claim 28, wherein, when having determined that a difference between a state of an object existing before said image pickup device picks up an object image for photo-taking and a state of an object determined from an object image picked up by said image pickup device for photo-taking is not less than a predetermined value, said evaluation device prevents in response to a predetermined instruction, the object image picked up by said image pickup device for photo-taking from being recorded in a recording device, and causes, if not receiving the predetermined instruction for a predetermined period of time, the object image picked up by said image pickup device for photo-taking to be recorded in the recording device.
